

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**



UNITED STATES OF AMERICA

PLAINTIFF

vs.

CRIMINAL NO. 2:19-cr-00051 KS-MTP

WADE ASHLEY WALTERS

DEFENDANT

**EX PARTE MOTION FOR ISSUANCE
OF RULE 17(c) SUBPOENA DUCES TECUM**

COMES NOW WADE ASHLEY WALTERS, Defendant herein, by and through counsel Joe M. Hollomon, pursuant to Federal Rule of Criminal Procedure 17(c), and moves the Court for an order directing that a Subpoena Duces Tecum be issued for service on the entities/individuals as set forth herein to produce records with production dates in advance of trial, and with production to be made at the office of undersigned counsel, and in support thereof would respectfully show unto the Court the following, to-wit:

1. That the trial of this cause is currently set for April 6, 2020.
2. That following review of all discovery produced by the government to date, and in preparation for trial with Wade Ashley Walters, it has been determined that additional records are absolutely necessary for the Defendant to prepare for trial and to effectively defend the indictment charging him in this case.
3. That undersigned counsel needs to subpoena the following entities/individuals:
 - A) The Custodian of Records for Jonelle B. Beeler, Baker Donelson Law Firm.

Said subpoena duces tecum will request the following records:

- a) Any and all records, files, memos, notes, emails, subscription agreements, operating agreements, to include drafts, whether in printed or digital format, related to legal work for Hope Thomley and/or Wade Walters; Prime Care Marketing, LLC and/or Total Care Marketing.

4. That the Defendant submits this subpoena duces tecum is not unreasonable nor oppressive; that the documents sought to be produced are evidentiary, material and relevant; that they are not otherwise procurable reasonably in advance of trial by the exercise of due diligence; that the Defendant cannot properly prepare for trial without such production and inspection in advance of trial, to allow time for appropriate review and assimilation; and that this motion is made in good faith and is not intended as a general “fishing expedition”. Rather, the documents sought to be produced and inspected ARE relevant, admissible and specific.

5. That undersigned counsel will make available said documents obtained as a result of this subpoena to the government in the course of discovery.

WHEREFORE, PREMISES CONSIDERED, the Defendant, Wade Ashley Walters, requests that this Court issue an order, pursuant to Federal Rules of Criminal Procedure 17(c), permitting the Defendant to issue a subpoena duces tecum to the aforementioned witness/custodian of records, returnable on the date set forth in advance of trial, and that such production be made by mail or by production at the office of Joe M. Hollomon, located at 107 North State Street, Jackson, Mississippi 39201.

RESPECTFULLY SUBMITTED, this the 28th day of January, 2020.

/s/ Joe M. Hollomon
JOE M. HOLLOMON, ATTORNEY FOR AND
ON BEHALF OF WADE ASHLEY WALTERS

OF COUNSEL:

Joe M. Hollomon, Esq. (MSB # 2551)
JOE M. HOLLOMON & ASSOCIATES, P.A.
107 North State Street
Post Office Box 22683
Jackson, Mississippi 39225-2683
Tel. 601-353-1300
Fax 601-353-1308
jhollomon@outlook.com
joehollomonlaw@yahoo.com